

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

BLUE SPIKE, LLC	)	Civil Action No. 6:12cv499-LED
<i>Plaintiff</i>	)	<b>LEAD CASE</b>
v.	)	Civil Action No. 6:12-cv-694-LED
PRECISE BIOMETRICS, INC., et al	)	<b>CONSOLIDATED CASE</b>
<i>Defendant</i>		

**STIPULATION REGARDING WAIVER OF SERVICE**

The Parties agree to save the expense of properly serving Precise Biometrics, Inc. and Precise Biometrics AB with a summons and complaint in this case.

Defendants Precise Biometrics, Inc. and Precise Biometrics AB will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but Defendants hereby waive any objections to the absence of a summons or of service.

Defendants must file and serve an answer or a motion under Rule 12 within **60 days** from October 24, 2012, being **December 24, 2012**, the date agreed to by the parties.

Date: 10-31-12

/s/ Melissa R. Smith  
Melissa R. Smith  
State Bar No. 24001351  
GILLAM & SMITH, LLP  
303 S. Washington Ave.  
Marshall, Texas 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257  
melissa@gillamsmithlaw.com

***ATTORNEY FOR PRECISE BIOMETRICS,  
INC. and PRECISE BIOMETRICS AB***

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 31<sup>st</sup> day of October, 2012.

/s/ Melissa R. Smith